

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JOSE LUIS AREBALO, §
§
Petitioner, §
VS. § CIVIL ACTION NO. C-95-395
§
JAMES A COLLINS, §
§
Respondent. §

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION TO
DENY PETITIONER'S MOTION TO RE-OPEN HIS HABEAS PETITION**

On October 19, 2007, United States Magistrate Brian L. Owsley signed a Memorandum and Recommendation recommending that petitioner's motion to re-open his habeas petition (D.E. 13) be denied without prejudice. On November 29, 2007, petitioner filed Objections to the Magistrate's Recommendations.

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and petitioner's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson*, 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that petitioner's motion to re-open his habeas petition (D.E. 13) is denied without prejudice.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 4th day of December, 2007.



Janis Graham Jack
United States District Judge